ORDINANCE NO. 90-24

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING ORDINANCE NO. 82-15, AMENDING ORDINANCE NO. 82-15, AS AMENDED BY ORDINANCES 85-6, 87-25, 88-43 AND 89-9 WHICH PROVIDE FOR THE LEVYING OF A TOURIST DEVELOPMENT TAX PURSUANT TO THE "LOCAL OPTION TOURIST DEVELOPMENT ACT," FLORIDA STATUTES, SECTION 125.0104, BY AMENDING THE MEMBERSHIP OF THE PALM BEACH COUNTY TOURIST DEVELOPMENT COUNCIL TO INCLUDE TWO MEMBERS OF THE COUNCIL WHICH SHALL BE ELECTED MUNICIPAL OFFICIALS, ONE OF WHOM SHALL BE FROM THE MOST POPULOUS MUNICIPALITY IN THE COUNTY PURSUANT TO FLORIDA STATUTE, SECTION 125.0104(4)(E); PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to the "LOCAL OPTION TOURIST DEVELOPMENT ACT", Section 125.0104, Florida Statutes, the Board of County Commissioners of Palm Beach County, Florida, adopted Ordinance No. 82-15, which provided for the establishment of the Palm Beach County Tourist Development Council and provided for the membership of the Palm Beach County Tourist Development Council; and

WHEREAS, Section 125,0104(4)(e) provides that two members of a tourist development council shall be elected municipal officials, one of whom shall be from the most populous municipality in the county; and

WHEREAS, the Board of County Commissioners now wishes to amend Ordinance No. 82-15 to comply with Section 125.0104(4)(e) by

specifying that two members of a tourist development council shall be elected municipal officials, one of whom shall be from the most populous municipality in the County.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA that:

SECTION 1:

Section 3.01 of Ordinance No. 82-15, as amended by Ordinances No. 85-6, 87-25, 88-43 and 89-9, is hereby amended to read as follows:

SECTION 3. TOURIST DEVELOPMENT COUNCIL

3.01 Creation.

There is hereby established, pursuant to the provisions of §125.0104, Florida Statutes, an advisory council to be known as the "Palm Beach County Tourist Development Council", hereinafter referred to as the "Council". The Council shall be composed of nine (9) members. One (1) member of the Council shall be the Chairman of the Board of County Commissioners of Palm Beach County who shall serve as Chairman of the Council. The remaining eight (8) members of the Council shall be appointed by the Board of County Commissioners and shall have the following representative classifications:

(a) Two (2) members who are elected municipal officials, one of whom shall be from the most populous municipality in the county;
(b) Three (3) members who are owners or operators of motels, hotels, or other tourist accommodations in Palm Beach County and subject to the tourist development tax; and
(c) Three (3) members who are involved in the tourist industry and who have demonstrated an interest in tourist development, but who are not owners or operators of motels, hotels, or other tourist accommodations in Palm Beach County and subject to the tax.

All members of the Council shall be electors of Palm Beach County. The members of the Council shall serve for staggered terms of four (4) years. Those members of the Council appointed by the Board of County Commissioners in its Resolution dated March 3, 1981, establishing the initial Council shall continue to serve in said capacities for the terms set forth therein. Members of the Council may be reappointed, provided they continue to meet the

qualifications of membership, and may be removed by the Board of County Commissioners for cause. A vacancy on the Council not occurring by expiration of terms shall be filled by the Board of County Commissioners by appointment for the unexpired term.

SECTION 2. REPEAL OF LAWS IN CONFLICT

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY

If any section, paragraph, sentence, clause, phrase, or word of this ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this ordinance.

SECTION 4. INCLUSION IN THE CODE OF LAWS AND ORDINANCES

The provisions of this ordinance shall become and be made a part of the code of laws and ordinances of Palm Beach County, Florida. The Sections of the ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

SECTION 5. EFFECTIVE DATE

The provisions of this ordinance shall become effective upon receipt of acknowledgement by the Secretary of State.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on the 24th day of July, 1990.

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By: _____
Chair

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

_____
County Attorney

JOHN B. DUNKLE, CLERK
Board of County Commissioners

By _____
DEPUTY CLERK

Acknowledgment by the Department of State of the State of Florida, on this, the 6th day of August, 1990.

EFFECTIVE DATE: Acknowledgement from the Department of State received on the 10th day of August, 1990, at 8:09 A.M., and filed in the Office of the Clerk of the Board of County Commissioners of Palm Beach County, Florida.

(TDC.Tax)

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, JOHN B. DUNKLE, ex-officio Clerk of the Board of County Commissioners certify this to be a true and correct copy of the original filed in my office on 7/24/90
DATED at West Palm Beach, FL on 8/14/90
JOHN B. DUNKLE, Clerk,
By: _____ D.C.
Deputy Clerk